

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO  
**TRACK 1 CLASS 2/3 TRIAL**

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**PLAINTIFFS' MOTION FOR PARTIAL RECONSIDERATION  
OF CLASS 2/3 DAMAGES RULING**

Plaintiffs respectfully move the Court for an order granting plaintiffs' motion for partial reconsideration of the Court's Class 2/3 Damages Ruling. This motion is supported by a memorandum filed of even date.

DATED: July 5, 2007

By /s/ Steve W. Berman  
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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys, and that on July 5, 2007, I caused copies of **PLAINTIFFS' MOTION FOR PARTIAL RECONSIDERATION OF CLASS 2/3 DAMAGES RULING** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

**/s/ Steve W. Berman**

Steve W. Berman